

REMARKS

The application has been amended and is believed to be in condition for allowance.

This amendment is being filed as part of an RCE application.

The claims were rejected as indefinite.

The "means for limiting ..." has been amended to be clarified in the appropriate claims. Support for these amendments can be found at least in specification page 3, paragraph 3 and page 5, paragraph 2.

For the claim 23's recited range, see specification page 7, last paragraph.

As the claims have been amended responsive to the indefiniteness rejection, withdrawal of the indefiniteness rejection is solicited.

Claims 1-2, 6, 8, 10, 15, and 21-23 stand rejected as obvious over TAYLOR 4,768,627.

Claim 9 stands rejected in further view of JP 09-059921.

TAYLOR does not render obvious independent claim 1 or its dependent claims.

There are three recited differences with regard to TAYLOR:

First, the TAYLOR device requires the presence of bellows 60 and 61 in order to work properly. These bellows have

substantial disadvantages: First, the number of fluid tight connections to other parts of the damper required is at least two at each end of the shaft 32 or the cylinder 11 and each end of the bellows, respectively. This, together with the fact that such bellows need to be present, makes the construction in TAYLOR quite complicated. In contrast, in the presently claimed invention no such bellows are necessary, and no fluid-tight fixation thereof is required. In the present invention, the rod simply passes through a bore 32 that has a first end 32a that is open to the exterior (while this end is closed inside the bellows in TAYLOR), no bellows are required and the number of required fluid-tight junctions is reduced.

Second, in the TAYLOR device no air volume is present inside the bellows: "Chambers 79 and 80 are also filled with hydraulic fluid, and thus there is a continuous body of hydraulic fluid within chambers 57, 59, 79 and 80 and the clearances at bushings 52 and 53". See column 3, lines 59-63 in TAYLOR. In contrast, in the present invention one of the secondary chambers contains an air volume 31 and is not completely filled with fluid.

Third, in the present case the bore 32 also has a second end 32b opening into the air volume (31)-in contrast, no such bore is present in TAYLOR as there also the end 74 of the piston unit ending into a (third!) chamber filled with air does not open into the air volume but is sealed behind the bellows.

In view of the complex structure of TAYLOR, one of skill would not modify TAYLOR to include the above-noted missing features. Therefore, TAYLOR does not render obvious the present invention.

The dependent claims are allowable at least for depending from an allowable claim.

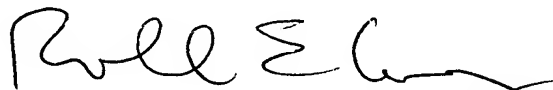
Reconsideration and allowance of all the pending claims are respectfully requested.

In view of the above, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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